

Industry: **Big Ox Energy Siouxland, LLC**
Address: **1616 D Avenue**
South Sioux City, NE 68776
IU Permit No.: **2018-31-I**

NOTICE OF VIOLATION
City of Sioux City, Iowa
Industrial Pretreatment Program

LEGAL AUTHORITY

The following findings are issued and notice provided pursuant to the authority vested in the City of Sioux City, Iowa Industrial Pretreatment Program, under Title 13 of the Sioux City Municipal Code "Sewers". This order is based on findings of violation of the conditions of the wastewater discharge permit issued under 13.07.270 of the City's Sewers and Sewer Disposal Ordinance.

FINDINGS

1. The City of Sioux City, Iowa is charged with the construction, maintenance, and control of the sewer system and treatment works.
2. To protect the sewer system and treatment works, the City of Sioux City, Iowa administers a pretreatment program.
3. Under this pretreatment program, **Big Ox Energy Siouxland** was issued a discharge permit.
4. On June 29, 2018, the City of Sioux City issued a Compliance Order to **Big Ox Energy Siouxland** which required pollutant loadings (TSS) to be less than **48,509 lbs./day** as a maximum daily limitation.
5. On November 25, 2018, **Reissued Permit No. 2018-31-I** went into effect. The permit incorporates the above daily maximum loading limit of **48,509 lbs. TSS** as well as a **monthly average not to exceed 20,000 lbs. TSS**.
6. On December 9, 11, and 12, 2018, **Big Ox Energy Siouxland** discharged an exceedance of the maximum daily limitation of **48,509 lbs. TSS** per Permit No. 2018-31-I. A fine of \$1,000 per day per violation is hereby issued.
 - December 9, 2018- 68,996 lbs. TSS
 - December 11, 2018- 69,068 lbs. TSS
 - December 12, 2018- 49,940 lbs. TSS
7. As outlined above, the total fine for the violation documented above amounts to \$3,000. This is in addition to any fines or charges previously issued. Fines will be assessed on the next sewer use surcharge invoice and are non-negotiable.
8. The Sioux City WWTP is encountering greater difficulty absorbing high loadings due to colder weather and on-going repairs to digesters and primary clarifiers. Big Ox must meet its effluent limits consistently or further enforcement will be followed.

NOTICE AND REQUIRED ACTIONS

THEREFORE, BASED ON THE ABOVE FINDINGS, BIG OX ENERGY SIOUXLAND IS HEREBY NOTIFIED THAT:

It is an on-going violation of its discharge permit and the Title 13 of the Sioux City Municipal Code "Sewers" of Sioux City, Iowa and the following specific actions are required. Note that these items are contingent on the consent of the regulatory authorities for the Sioux City, Iowa POTW.

1. Within 10 Days of receiving this letter, **Big Ox Energy Siouxland** must respond in writing with the following information:
 - An explanation for the violation(s)
 - A plan to mitigate this type of violation(s) in the future
2. All requirements in previously-issued Orders are fully in-effect including fines and notification requirements.

Randy Desoria MGR 12/17/18

Signatures



Craig Samek
Industrial Pretreatment Coordinator
City of Sioux City, Iowa



Mark Simms
Utilities Director
City of Sioux City, Iowa

December 17, 2018

Date of Issuance of NOV

Copy:

IDNR

NDEQ

City of South Sioux City